

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LARRY BOWOTO, et al.,

No. C 99-02506 SI

Plaintiffs,

**ORDER RE: LETTER REQUEST FOR
TELEPHONIC HEARING RE VISA
REQUESTS**

v.

CHEVRON CORPORATION, et al.,

Defendants.

By letter brief, plaintiffs have requested another hearing on their visa problems, seeking the following relief: permission to take trial preservation depositions; permission to present video conference trial testimony; an order directing CNL to invite plaintiffs' counsel to come to Nigeria for trial preparation; and an order continuing from 9/15/08 to 10/13/08 the date for designating deposition testimony. Chevron opposes all of these requests.

The request for a further hearing is DENIED.

The request for an order permitting plaintiffs to take trial preservation depositions for any plaintiff or witness for whom they are now unable to obtain a visa is DENIED. Discovery has closed long since, and these witnesses were, for the most part, already deposed. It was plaintiffs' choice not to take trial preservation testimony during the discovery process; at this late date it would be unfair to reopen discovery for this purpose.

Plaintiffs' request for an order permitting plaintiffs to present the trial testimony of Nigerian plaintiffs and witnesses through video-conferencing technology is conditionally GRANTED. Plaintiffs may take steps to make the appropriate arrangements. If those arrangements are adequate to allow clearly audible direct- and cross-examination of the witnesses, under oath and with adequate


1 interpretation facilities, the Court will allow plaintiffs to proceed in that manner. The Court can provide
2 one videoconferencing facility in the courtroom, but plaintiffs will be responsible for making and paying
3 for all arrangements on the far end.

4 Plaintiffs' request for an order directing defendants to direct CNL to write a letter inviting
5 plaintiffs' counsel to come to Nigeria for trial preparation, including videoconferencing arrangements,
6 is DENIED without prejudice to reconsideration should plaintiffs' counsel be denied entry to Nigeria
7 for trial preparation.

8 Plaintiffs' request for an order continuing the date to designate depositions for witnesses unable
9 to secure a visa is GRANTED IN PART: the September 15, 2008 deadline is extended to September 29,
10 2008.

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13 **IT IS SO ORDERED.**

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15 Dated: September 2, 2008



SUSAN ILLSTON
United States District Judge